

**From:** Josh Steinhurst  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I do not feel the proposed settlement is either a: 1) a fair punishment for past misdeeds; or 2) an adequate safeguard against future problems. There are other people who will state this all much more clearly than I can. However, as a computer science graduate student who has studied the technical issues at stake I can assure you that an unfettered Microsoft is a danger not only to other ISVs and HSVs but to the nation and world as a whole. For example, the ever increasing number of exploits and virii which infect win32 machines is proof that when one platform rules it all there can be no safety.

From a technical standpoint I have seen both in my academic research and my journeys into corporate America just how Microsoft has been stifling innovation, not fostering it as they claim. Sadly the proposed settlement requires them to do nothing of substance. I am not a lawyer and even I can see the loopholes they will slide through. The other problem is that the settlement concentrates on the wrong things. None of the requirements will actually punish anti-competitive behavior. Furthermore the 3 person team responsible for investigating claims of misdeeds is not setup in way that gives me any confidence in their autonomy or strength. Only one of the three will be there without Microsoft's approval. Why does the DOJ refuse to stay involved in the matter like it did for IBM? It is my judgement that the proposed settlement is nothing but a sell-out. I urge you to do your job, not Microsoft's and protect the country and the world from a proven law breaker.

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